

DATE  
APPROVED:

CONSERVATION COMMISSION MINUTES FOR APRIL 17, 2012      PAGE #12-26

MEMBERS PRESENT:

Chairman Ed Schwarz, Tom Failla, Chris Spaulding and Cathy Minter

Meeting on digital recording dated 4/17/12

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Mr. Schwarz opened the April 17<sup>th</sup> Regular meeting of the Weston Conservation Commission at 7:38 p.m.

WALK DATE

The walk date was set for Saturday, May 5, 2012. The Commissioners will meet at Town Hall at 8:00 a.m.

RECEIPT OF APPLICATIONS

- Mettel, 36 Joanne Lane, repair leaching field
- Barger, 31 Old Redding, generator and pad
- Cusak, 39 Ridge Road, new septic system (Grumman)
- Papay, 160 Steephill, pool (R.I. Pools)
- Skunk Properties, Lot 3 Far Horizon Sub., 10 Ladder Hill Road, site plan approval and Plan A, to create a rain garden

MOTION FOR RECEIPT

Mr. Schwarz made a motion to receive the Mettel, 36 Joanne Lane application and Ms. Minter seconded. All in favor, the motion carried (4-0).

MOTION FOR RECEIPT

Mr. Schwarz made a motion to receive the Barger, 31 Old Redding Road application and Mr. Spaulding seconded. All in favor, the motion carried (4-0).

MOTION FOR RECEIPT

Mr. Schwarz made a motion to receive the Cusak, 39 Ridge Road application and Mr. Spaulding seconded. All in favor, the motion carried (4-0).

MOTION FOR RECEIPT

Mr. Schwarz made a motion to receive the Papay, 160 Steephill Road application and Ms. Minter seconded. All in favor, the motion carried (4-0).

MOTION FOR RECEIPT

Mr. Schwarz made a motion to receive the Skunk Properties, 10 Ladder Hill Road application and Mr. Failla seconded. All in favor, the motion carried (4-0).

DISCUSSION OF APPLICATION CONT: SHUBBER, 7 SMITH RIDGE, SLOPE BOULDER STABILIZATION

Mr. Shubber came forward and Ms. Minter explained what happened on the site walk with Kate Throckmorton and Todd Ritchie. All agree that best plan for planting of that area. Ms. Throckmorton is to send a letter to the Conservation Planner stating what will be done in order to get that area remediated.

DISCUSSION OF APPLICATION CONT. SKOLER, 45 DAVIS HILL, RECONSTRUCTION OF IN-GROUND POOL

Bill Kenney came forward to discuss the issue of the existing pipes. He noted that the house was rebuilt 15-20 years ago and there is nothing coming out of those pipes. He recommended cutting off 3 feet or so and putting soil on top. Mr. Spaulding questioned whether he knew where the pipes were coming from and Mr. Kenney explained that it could be from several potential sources, but there was nothing coming out of the pipes now. He explained their plan for buffer plantings, the filter for the pool and the disposition of the construction material. Mr. Kenney described the proposed planting buffer 20 feet off the river with low meadow and some native shrubs and wildflowers. He also noted that the pool filter is a closed system and there will be no back wash. Mr. Gregory Maroon from Stecks stated that the material hauled off site will go to O&G in Bridgeport. Discussion ensued.

MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application for reconstruction of an in-ground pool at 45 Davis Hill as shown on plans prepared by Eckerson Design Associates dated 2/6/12 and revised 3/26/12, subject to the following conditions:

A. Filing of the contractor's statement.

**B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

C. The following language shall appear on the subdivision or deeds to lots which are to be filed on the Weston Land Records:

“No regulated activity as defined in the Public Inland Wetland Watercourse Act of the State of Connecticut Regulations as well as the Town of Weston's Regulations as the same and from time to time as may be amended, shall be permitted in those areas designated and shown as wetlands on the aforementioned maps.” The wetland areas as well as any agreed to “buffer zones” designated on the aforementioned maps shall be established as areas whose natural and indigenous character shall be henceforth preserved and not encroached upon for any use that would alter the natural character of the land”.

D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or linens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, "Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section."

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.

I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

Ms. Minter seconded the motion. All in favor, the motion carried (4-0).

#### DISCUSSION OF APPLICATION GOODWYN, 67 GOODHILL ROAD, BANK RESTORATION & REHABILITATION:

Jason Williams, landscape architect and Matthew Sanford, wetland scientist and ecologist with Milone & McBroom came forward to discuss the application. Mr. Williams explained that the site lies on a level plateau with a hill going down to the Saugatuck River and there is a dam below the water elevation that may have been a stepping stone path at some point. They were contacted by the owners to address the erosion around the dam and the scouring that has occurred. Mr. Williams explained that they propose to create a boulder armament to alleviate the flows coming around the dam. They also propose vegetative planting of large shade tolerant plants which will be good for erosion control and also low bush blueberry sod. Mr. Sanford explained that if they were to take out the dam, it would be an extensive permitting process and then described how the work in the river would be done and how the construction access would be handled. Discussion ensued.

#### MOTION FOR APPROVAL

Mr. Schwarz made a Motion to approve the bank restoration at 67 Goodhill Road as shown on plans prepared by Milone & McBroom dated 3/7/12, with handwritten comments by Mr. Williams dated today subject to the following conditions:

A. Filing of the contractor's statement.

**B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

C. The following language shall appear on the subdivision or deeds to lots which are to be filed on the Weston Land Records:

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D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or linens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, “Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section.”

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.

I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

J. The chute originally proposed for the placement of boulders is not going to be done. A boulder placement plan must be presented and demonstrated its workability to the Conservation Planner before any work is done.

Mr. Spaulding seconded the motion. All in favor, the motion carried (4-0).

DISCUSSION OF APPLICATION: DOCIMO, 7 WILDWOOD LANE, ADDITION TO KITCHEN, MUDROOM AREA, ADD TERRACE PLANTINGS & RE-GRADING

Frank Docimo, owner and Brad Dumont, architect came forward to discuss the application. They presented the site plan, noting that it is a 2 acre site with a brook bisecting the property. The house was built in the 1960s and the septic system is in the front yard. The proposal is to remove the screen porch and add a one story addition for a kitchen/breakfast area on the same footprint and then a 2<sup>nd</sup> story addition above the garage with a terrace off the back of house. Mr. Dumont noted that the footprint will be expanded 200-300 sq. ft and they will be using the existing leaders to handle the runoff from the entire back of the house. Ms. Minter expressed concern regarding the concrete patio and Mr. Dumont described the drainage proposal. He also noted that they will not be increasing the septic, and also presented calculations for a 50 year storm from Cioppa & Paolini. He also indicated the planting plan with a buffer along the edge of the brook. Discussion ensued.

MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application for 7 Wildwood Lane prepared by Cioppa & Paolini dated 4/13/12, and drainage and planting plan prepared by Environmental Land Solutions dated 3/15/12, subject to the following conditions:

A. Filing of the contractor's statement.

**B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

C. The following language shall appear on the subdivision or deeds to lots which are to be filed on the Weston Land Records:

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D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or linens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less

detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, "Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section."

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.

I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

J. Drainage calculations are to be modified to include the front drainage before work is to begin and a determination of whether the proposed high overflow yard drain has capacity to handle the drainage from both the front and back of house. Applicant will also inspect and correct the roof leaders.

Ms. Minter seconded the motion. All in favor, the motion carried (4-0).

#### DISCUSSION OF APPLICATION FERRARA, 67 LYONS PLAIN ROAD, IN-GROUND POOL/SPA/PATIO

Kevin Murphy, from Pools by Murphy and owner, Frank Ferrara came forward to present the application for a swimming pool in the regulated area. Mr. Murphy noted they are limited by restrictions with the well and the whole house is in the regulated area. Mr. Failla commented that he would like to see a 10-15 ft. vegetative buffer along the wetlands. Mr. Murphy noted that the dirt will be hauled off and they will present a bill of lading for where it goes. Mr. Schwarz asked them to describe the construction sequencing.

#### MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application for 67 Lyons Plain Road for an in-ground pool as shown on plans prepared by Richard Plain Land Surveyors dated 2/12/2012, subject to the following conditions:

A. Filing of the contractor's statement.

**B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

C. The following language shall appear on the subdivision or deeds to lots which are to be filed on the Weston Land Records:

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D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or linens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, “Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section.”

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.

I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

J. Applicant agrees to put in a 10 ft. planting buffer zone running the entire length of the brook on the property before construction begins and the planting plan is to be submitted to the Conservation Planner for approval.

Ms. Minter seconded the motion. All in favor, the motion carried (4-0).

#### DISCUSSION OF APPLICATION: ASCHER, 2 WOODLAND WAY, RENOVATIONS

Scott Parker, contractor, and Louise Ascher, owner, came forward to present the plan. Ms. Ascher noted that the proposal is to take down an existing sunroom and rebuilding with a second floor on top and to push out the breezeway area to have a mudroom and laundry room. She noted that they would be increasing the footprint by 344 sq. feet and also indicated the location of the septic on the plan.

MOTION FOR APPROVAL

Ms. Minter made a motion to approve the application for renovations at 2 Woodland Way, as shown on a plan prepared by Leonard Surveyors dated 2/14/12, subject to the following conditions:

A. Filing of the contractor's statement.

**B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

C. The following language shall appear on the subdivision or deeds to lots which are to be filed on the Weston Land Records:

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D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or liens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, “Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section.”

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.



I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

J. The septic plan is to be submitted for the file before the project can move forward.

Mr. Spaulding seconded the motion. All in favor, the motion carried (4-0).

**DISCUSSION OF APPLICATION: HEIDARI, 128 VALLEY FORGE, 2 PLAYING COURTS**

Donald Fitch, representing the owners came forward to present the application for a tennis and basketball court. Mr. Spaulding expressed concern regarding pipes they had seen on the site walk and Mr. Fitch explained that the paddle ball court is on a raised platform and there is an infiltrator for where the water will go, even though it is elevated, which he had an engineer design. He also indicated the location of the basketball court down below and noted that it used to be the entrance to the garage. Mr. Failla inquired as to where the basketball court will drain to and Mr. Fitch stated that they would put in a drywell if required by the Commission. Discussion ensued.

**MOTION FOR APPROVAL**

Ms. Minter made a motion to approve the application for playing courts at 128 Valley Forge Road as shown on a plan prepared by Blackrock Surveyors dated 8/5/11 and revised 2/29/12, subject to the following conditions:

A. Filing of the contractor's statement.

**B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

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D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or linens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, "Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section."

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.

I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

J. The additional drywell for the basketball court is located on the plan and there is to be a 10 foot planting buffer between the basketball court and the driveway as indicated on the plan.

Mr. Spaulding seconded the motion. All in favor, the motion carried (4-0).

#### DISCUSSION OF APPLICATION: PARK 24 CHURCH LANE, GAZEBO

Richard Regan, P.E., Rocco D'Andrea and Michael Boyce, landscape architect came forward to present the project. Mr. Regan presented the plan with construction sequencing and indicated the location of the existing driveway and the construction access off the driveway. He also explained that they propose a 20 ft. octagon shaped gazebo. Mr. Regan also indicated the location of the septic system location and stated that what is driving the location is that they need to be 10 ft. from the septic system. Discussion ensued.

#### MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application for a gazebo at 24 Church Lane, as shown on plans prepared by Rocco D'Andrea, Inc., engineers, dated 3/12 revised 4/17/12, subject to the following conditions:

A. Filing of the contractor's statement.

**B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

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D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or linens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, “Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section.”

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.

I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

J. Any existing plantings that will be removed during construction will be replaced with new planting material of the same species.

Mr. Spaulding seconded the motion. All in favor, the motion carried (4-0).

#### APPROVAL OF MINUTES

Mr. Schwarz made a motion to approve the Minutes from the January 7, 2012 and March 20, 2012 meetings and Ms. Minter seconded. All in favor, the motion carried (4-0).

MOTION TO ADJOURN

Mr. Failla made a motion to adjourn the meeting and Mr. Spaulding seconded. All in favor, the meeting adjourned at 9:35

Respectfully submitted,

Delana Lustberg  
Recording Secretary